

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Robert Scott Davis  
Debi Anne Davis  
aka Debi A Woodel**  
Debtor(s)

Bankruptcy Case No.: 14-10746-TPA  
Per September 19, 2017 Proceeding  
Chapter: 13  
Docket No.: 87 – 79, 81  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated August 22, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to it's administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim of the following Creditor shall govern as to claim amount, to be paid at the modified plan term at \$183.00 per month: PA State Employees Federal Credit Union (Claim No. 7).

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: September 20, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Robert Scott Davis  
 Debi Anne Davis  
 Debtors

Case No. 14-10746-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: jmar  
 Form ID: 149

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 Total Noticed: 33

Date Rcvd: Sep 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 22, 2017.

db/jdb  
 cr  
 +Robert Scott Davis, Debi Anne Davis, 17347 Mullen Road, Meadville, PA 16335-6233  
 ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage, LLC., PO Box 619096,  
 Dallas, TX 75261-9741)  
 13879333 ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238  
 (address filed with court: Bank Of America, PO Box 982236, El Paso, TX 79998)  
 13920735 +Bank of New York Mellon, C/O Weinstein, Pinson, & Riley, P.S.,  
 2001 Western Avenue, Ste. 400, Seattle, WA 98121-3132  
 13879334 +Barclays Bank Delaware, Attn: Bankruptcy, PO Box 8801, Wilmington, DE 19899-8801  
 13879337 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Childrens Place/Citicorp Credit Services,  
 Attn: Centralized Bankruptcy, PO Box 20363, Kansas City, MO 64195)  
 13879338 ++CITIFINANCIAL, BANKRUPTCY FORECLOSURE UNIT, 1000 TECHNOLOGY DRIVE, OFALLON MO 63368-2239  
 (address filed with court: Citifinancial, 300 Saint Paul Place, Baltimore, MD 21202)  
 13879335 +Capital One Bank, Attn: Bankruptcy Dept., PO Box 30285, Salt Lake City, UT 84130-0285  
 13879336 Capital One, N.A., c o Becket and Lee LLP, POB 3001, Malvern, PA 19355-0701  
 13938098 +Ccs / Cortrust Bank, 500 East 60th Street North, Sioux Falls, SD 57104-0478  
 CitiFinancial Servicing LLC, P.O. Box 70919, Charlotte, NC 28272-0919  
 13879339 +Comenity Bank / Peebles, Attention: Bankruptcy, PO Box 182686, Columbus, OH 43218-2686  
 13879340 +Crawford County Care Center, 20881 Highway 198, Saegertown, PA 16433-6199  
 13879342 Domestication, PO Box 337003, Northglenn, CO 80233  
 13879343 +First Premier Bank, 601 South Minnesota Avenue, Sioux Falls, SD 57104-4868  
 13879346 +KML Law Group, PC, BNY Mellon Independence Center, 701 Market Street, Suite 5000,  
 Philadelphia, PA 19106-1541  
 13879352 +RBS Citizens Cc, Attn: Bankruptcy Department, 443 Jefferson Boulevard, Ms: Rjw-135,  
 Warwick, RI 02886-1321  
 13879353 +Sears / Cbna, PO Box 6283, Sioux Falls, SD 57117-6283  
 13879355 +Td Bank Usa / Target Credit, PO Box 673, Minneapolis, MN 55440-0673  
 13879356 Washington Mutual Bank, P.O. Box 91150, Seattle, WA 98111-9250

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

13879332 E-mail/Text: ebnbankruptcy@ahm.honda.com Sep 21 2017 01:31:36 American Honda Finance,  
 PO Box 168088, Irving, TX 75016  
 13879341 E-mail/Text: mrdiscen@discover.com Sep 21 2017 01:30:48 Discover Financial Services Llc,  
 PO Box15316, Wilmington, DE 19850  
 13893423 E-mail/Text: mrdiscen@discover.com Sep 21 2017 01:30:48 Discover Bank,  
 DB Servicing Corporation, PO Box 3025, New Albany, OH 43054-3025  
 13879344 +E-mail/PDF: gecsedirecoverycorp.com Sep 21 2017 01:27:55 GE Capital Retail Bank / JCPenney,  
 Attention: Bankruptcy, PO Box 103104, Roswell, GA 30076-9104  
 13879345 E-mail/PDF: gecsedirecoverycorp.com Sep 21 2017 01:27:55 GE Capital Retail Bank / Old Navy,  
 Attn: Bankruptcy, PO Box 130104, Roswell, GA 30076  
 13879347 E-mail/Text: bnckohlsnotices@becket-lee.com Sep 21 2017 01:30:52 Kohls / Capone,  
 N56 West 17000 Ridgewood Drive, Menomonee Falls, WI 53051  
 13901670 E-mail/PDF: resurgentbknofications@resurgent.com Sep 21 2017 01:28:24  
 LVNV Funding, LLC its successors and assigns as, assignee of Arrow Financial Services,,  
 LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587  
 13879348 +E-mail/PDF: resurgentbknofications@resurgent.com Sep 21 2017 01:28:23 Lvnv Funding Llc,  
 PO Box 10497, Greenville, SC 29603-0497  
 13879349 +E-mail/Text: bankruptcydpt@mcmcg.com Sep 21 2017 01:31:26 Midland Funding LLC,  
 8875 Aero Drive, Suite 200, San Diego, CA 92123-2255  
 13879351 +E-mail/Text: bankruptcyntices@psecu.com Sep 21 2017 01:31:58 P S E C U,  
 Attention: Bankruptcy, PO Box 67013, Harrisburg, PA 17106-7013  
 13943745 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Sep 21 2017 04:40:23  
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541  
 13900259 E-mail/Text: bnc-quantum@quantum3group.com Sep 21 2017 01:30:59  
 Quantum3 Group LLC as agent for, Galaxy Asset Purchasing LLC, PO Box 788,  
 Kirkland, WA 98083-0788  
 13879354 +E-mail/PDF: gecsedirecoverycorp.com Sep 21 2017 01:27:55 Synch / TJ Maxx, PO Box 965005,  
 Orlando, FL 32896-5005

TOTAL: 13

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YO  
 13879350\* ++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096  
 (address filed with court: Nationstar Mortgage LLC, Attn: Bankruptcy, 350 Highland Drive,  
 Lewisville, TX 75067)

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

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District/off: 0315-1

User: jmar  
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Total Noticed: 33

Date Rcvd: Sep 20, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 22, 2017

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 20, 2017 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
AS TRUSTEE FOR NATIONSTAR HOME EQUITY LOAN TRUST 2007-B agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
Daniel P. Foster on behalf of Joint Debtor Debi Anne Davis dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Plaintiff Debi Anne Davis dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Plaintiff Robert Scott Davis dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Debtor Robert Scott Davis dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com/fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK,  
AS TRUSTEE FOR NATIONSTAR HOME EQUITY LOAN TRUST 2007-B bkgroup@kmlawgroup.com  
Mary L. Thibadeau on behalf of Creditor Nationstar Mortgage, LLC. mary.thibadeau@klgates.com,  
klgatesbankruptcy@klgates.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 9